

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:24-mj-02357-RN

UNITED STATES OF AMERICA)	
)	
v.)	<u>UNOPPOSED MOTION TO</u>
)	<u>EXTEND THE TIME PERIOD</u>
EARL CARTER JR.)	<u>FOR INDICTMENT</u>

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, and without objection from the defendant, hereby moves this Honorable Court to extend the time period given the United States to indict this case, up to and including December 18, 2024. In support thereof, the parties show unto the Court the following:

1. The defendant was arrested on or about October 18, 2024, on a Criminal Complaint, alleging charges of conspiracy to deal in firearms without a license, in violation of Title 18, United States Code, Section 371; possession of a machine gun, in violation of Title 18, United States Code, Section 922(o), and possession of a firearm by a felon, in violation of Title 18, United States Code, Section 922(g)(1). The Speedy Trial Act requires that the defendant be indicted within thirty days of arrest. See United States Code, Section 3161(b).

2. The parties are involved in discovery review and remain hopeful to reach a non-trial disposition. By relaxing the deadline by which the defendant may be indicted, this Court will enable the parties to continue their discussions.

4. The defendant, through his attorney, John Stanford, has no objection to

an extension of the time period to indict, and waives his right to indictment within thirty days up to and including December 18, 2024.

Accordingly, the extension, if granted, should be deemed excludable time as being in the best interest of justice.

Respectfully submitted this 8th day of November, 2024.

MICHAEL F. EASLEY, JR.
United States Attorney

BY: /s/ Gabriel J. Diaz
GABRIEL J. DIAZ
Assistant U.S. Attorney
1500 Fayetteville Street, Suite 2100
Raleigh, North Carolina 27601
Telephone: (919) 856-4326
Fax: (919) 856-4487
gabriel.diaz@usdoj.gov
N.C. Bar No. 49159

CERTIFICATE OF SERVICE

This is to certify that I have this 8th of November, 2024, served a copy of the foregoing upon counsel for the defendant in this action by e-mail to Robert Parrot, attorney for the defendant.

/s/ Gabriel J. Diaz
GABRIEL J. DIAZ
Assistant U.S. Attorney